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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2171

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,224

Applicant(s)

QIAN, RICHARD

Examiner

Etienne P LeRoux

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 10-13, 15, 19, 29-32, 34, 38, 48-51, 53 and 57 are rejected under 35

U.S.C. 102(e) as being anticipated by Pub No US 2002/00549339 issued to McCormick et al (hereafter McCormick '339).

Claim 10:

McCormick '339 discloses:

- a content analyzer to analyze a content received from a media source based on a description compatible with personal preference information Fig 2, items 204 and 205 and paragraph 22] from a user regarding the content, the personal preference information being provided by a home server [claim 1]; and
- a content filter [Fig 3, item 300] coupled to the content analyzer to filter the content according to the personal preference information for delivery to the user [paragraph 18].

Claim 11:

McCormick '339 discloses a content assembler [Fig 3, item 302] to assemble the filtered content using the description into a packaged content according to an assembly criterion; and a

Art Unit: 2171

content distributor coupled to the content assembler to distribute the packaged content to the user based on delivery information provided by the home server [Fig 3, item 304].

Claim 12:

McCormick '339 discloses wherein the media source is one of a Web content [paragraph 18].

Claim 13:

McCormick '339 discloses wherein the description is compatible with a metadata associated with the content [paragraph 23].

Claim 15:

McCormick '339 discloses wherein the assembly criterion is one of a semantic topic and a subscription level [Fig 3, item 300].

Claim 19:

McCormick '339 discloses wherein the content filter comprises: a matcher to match the description with the personal preference information [Fig 3, item 300].

Claim 29:

McCormick '339 discloses analyzing a content [Fig 2, items 204 and 205 and paragraph 7 and 22] received from a media source based on a description compatible with personal preference information from a user regarding the content, the personal preference information being provided by a home server [claim 1] ; and filtering the content [Fig 3, item 300] according to the personal preference information for delivery to the user.

Art Unit: 2171

Claim 30:

McCormick '339 discloses assembling the filtered content using the description into a packaged content according to an assembly criterion [Fig 3, item 303]; and distributing the packaged content to the user based on delivery information provided by the home server [Fig 3, item 304].

Claim 31:

McCormick '339 discloses wherein the media source is one of a Web content [paragraph 18].

Claim 32:

McCormick '339 discloses wherein the description is compatible with a metadata associated with the content [paragraph 23].

Claim 34:

McCormick '339 discloses wherein the assembly criterion is one of a semantic topic and a subscription level [Fig 3, item 300].

Claim 38:

McCormick '339 discloses wherein the content filter comprises: a matcher to match the description with the personal preference information [Fig 3, item 300].

Claim 48:

McCormick '339 discloses:

- a content analyzer to analyze a content received from a media source based on a description compatible with personal preference information Fig 2, items 204 and 205

Art Unit: 2171

and paragraph 22] from a user regarding the content, the personal preference information being provided by a home server [claim 1]; and

- a content filter [Fig 3, item 300] coupled to the content analyzer to filter the content according to the personal preference information for delivery to the user [paragraph 18].

Claim 49:

McCormick '339 discloses a content assembler [Fig 3, item 302] to assemble the filtered content using the description into a packaged content according to an assembly criterion; and a content distributor coupled to the content assembler to distribute the packaged content to the user based on delivery information provided by the home server [Fig 3, item 304].

Claim 50:

McCormick '339 discloses wherein the media source is one of a Web content [paragraph 18].

Claim 51:

McCormick '339 discloses wherein the description is compatible with a metadata associated with the content [paragraph 23].

Claim 53:

McCormick '339 discloses wherein the assembly criterion is one of a semantic topic and a subscription level [Fig 3, item 300].

Claim 57:

McCormick '339 discloses wherein the content filter comprises: a matcher to match the description with the personal preference information [Fig 3, item 300].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 6, 16, 20, 24, 25, 35, 39, 43, 44 and 54 are rejected under 35

U.S.C. 103(a) as being unpatentable over McCormick '339 in view of US Pat No 6,141,686 issued to Jackowski et al (hereafter Jackowski '686).

Claim 1:

McCormick '339 discloses a home server [claim 1] comprising a personalization engine [Fig 2, items 204 and 205 and paragraph 22] to create personal preference information from a user regarding a content.

McCormick '339 fails to disclose:

- the personal preference information being represented in a description compatible with an edge server
- and a content scheduler coupled to the personalization engine to schedule delivery of the content from the edge server and uploading of the personal preference information to the edge server.

Jackowski '686 discloses:

- the personal preference information [Fig 3, item 10] being represented in a description compatible with an edge server [Fig 3, item 14 and col 2, lines 51-59];

Art Unit: 2171

- and a content scheduler [Fig 3, item 18 and col 2, lines 65 through col 3, line 10] coupled to the personalization engine to schedule delivery of the content from the edge server and uploading of the personal preference information to the edge server.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include the personal preference information being represented in a description compatible with an edge server and a content scheduler coupled to the personalization engine to schedule delivery of the content from the edge server and uploading of the personal preference information to the edge server as taught by Jackowski '686.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of prioritizing network traffic based on high-level applications and users rather than low-level IP addresses and TCP ports.

Claim 5:

McCormick '339 discloses wherein the personalization engine comprises: a deduction engine to deduce the personal preference information based on user's usage [paragraph 22].

Claim 6:

McCormick '339 discloses wherein the personalization engine comprises: an input interface to obtain the personal preference information provided by the user [paragraph 22].

Claim 16:

McCormick '339 discloses the elements of claim 10 as noted above.

McCormick '339 fails to disclose a scheduled time, a quality of service information and a transmission bandwidth.

Jackowski '686 discloses a scheduled time, a quality of service information and a transmission bandwidth [col 2, lines 60-65]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include a scheduled time, a quality of service information and a transmission bandwidth as taught by Jackowski '686.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of controlling traffic using policy rules [col 2, line 52-53].

Claim 20:

McCormick '339 discloses creating personal preference information from a user regarding a content, the personal preference information being represented in a description compatible with a content analyzer [Fig 2, items 204 and 205 and paragraph 22]

McCormick '339 fails to disclose scheduling delivery of the content from the edge server and uploading of the personal preference information to the edge server.

Jackowski '686 discloses scheduling delivery of the content from the edge server and uploading of the personal preference information to the edge server [Fig 3, item 14 and col 2, lines 51-59].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include scheduling delivery of the content from the edge server and uploading of the personal preference information to the edge server as taught by Jackowski '686.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of prioritizing network traffic based on high-level applications and uses rather than low-level IP addresses and TCP ports.

Claim 24:

McCormick '339 discloses wherein the personalization engine comprises: a deduction engine to deduce the personal preference information based on user's usage [paragraph 22].

Claim 25:

McCormick '339 discloses obtaining the personal information provided by the user [Fig 2, items 204 and 205 and paragraph 22]

Claim 35:

McCormick '339 discloses the elements of claim 29 as noted above.

McCormick '339 fails to disclose a scheduled time, a quality of service information and a transmission bandwidth.

Jackowski '686 discloses a scheduled time, a quality of service information and a transmission bandwidth [col 2, lines 60-65]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include a scheduled time, a quality of service information and a transmission bandwidth as taught by Jackowski '686.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of controlling traffic using policy rules [col 2, line 52-53].

Claim 39:

McCormick '339 discloses a personalization engine to create personal preference information from a user regarding a content, the personal preference information being represented in a description compatible with a content analyzer [Fig 2, items 204 and 205 and paragraph 22]

McCormick '339 fails to disclose a content scheduler coupled to the personalization engine to schedule delivery of the content from the edge server and uploading of the personal preference information to the edge server.

Jackowski '686 discloses a content scheduler coupled to the personalization engine to schedule delivery of the content from the edge server and uploading of the personal preference information to the edge server [Fig 3, item 14 and col 2, lines 51-59].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include a content scheduler coupled to the personalization engine to schedule delivery of the content from the edge server and uploading of the personal preference information to the edge server as taught by Jackowski '686.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of prioritizing network traffic based on high-level applications and uses rather than low-level IP addresses and TCP ports.

Claim 43:

McCormick '339 discloses wherein the personalization engine comprises: a deduction engine to deduce the personal preference information based on user's usage [paragraph 22].

Claim 44:

McCormick '339 discloses wherein the personalization engine comprises: an input interface to obtain the personal preference information provided by the user [paragraph 22].

Claim 54:

McCormick '339 discloses the elements of claim 10 as noted above.

McCormick '339 fails to disclose a scheduled time, a quality of service information and a transmission bandwidth.

Jackowski '686 discloses a scheduled time, a quality of service information and a transmission bandwidth [col 2, lines 60-65]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include a scheduled time, a quality of service information and a transmission bandwidth as taught by Jackowski '686.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of controlling traffic using policy rules [col 2, line 52-53].

3. Claims 2, 7, 8, 9, 21, 26-28, 40 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of McCormick '339 and Jackowski '686 and further in view of Pub No US 2003/0061298 issued to Berman et al (hereafter Berman '298).

Claim 2:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claim 1 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose a local storage to cache the content delivered from the edge server; and a content manager coupled to the local storage to manage the cached content.

Berman '298 discloses a local storage to cache the content delivered from the edge server; and a content manager coupled to the local storage to manage the cached content [paragraph 24].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include a local storage to cache the content delivered from the edge server; and a content manager coupled to the local storage to manage the cached content as taught by Berman '298.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of managing the distribution of multiple content types [paragraph 24].

Claim 7:

Berman '298 discloses wherein the content manager comprises: a retriever to retrieve the cache content; an indexer to index the cache content; and a distributor to distribute the retrieved cache content to a device [Fig 2, item 208 and paragraph 30].

Claim 8:

Berman '298 discloses wherein the content manager further comprises: a decryptor to decrypt the cache content; and an archiver to archive the cached content [paragraph 36].

Claim 9:

Jackowski '686 discloses a viewing device [Fig 3, item 10].

Art Unit: 2171

Claim 21:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claim 20 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose caching the content delivered from the edge server; and managing the cached content.

Berman '298 discloses caching the content delivered from the edge server; and managing the cached content paragraph 24].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include caching the content delivered from the edge server; and managing the cached content as taught by Berman '298.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of managing the distribution of multiple content types [paragraph 24].

Claim 26:

Berman '298 discloses wherein the content manager comprises: a retriever to retrieve the cache content; an indexer to index the cache content; and a distributor to distribute the retrieved cache content to a device [Fig 2, item 208 and paragraph 30].

Claim 27:

Berman '298 discloses wherein the content manager further comprises: a decryptor to decrypt the cache content; and an archiver to archive the cached content [paragraph 36].

Claim 28:

Jackowski '686 discloses a viewing device [Fig 3, item 10].

Claim 40:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claim 39 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose a local storage to cache the content delivered from the edge server; and a content manager coupled to the local storage to manage the cached content.

Berman '298 discloses a local storage to cache the content delivered from the edge server; and a content manager coupled to the local storage to manage the cached content [paragraph 24].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include a local storage to cache the content delivered from the edge server; and a content manager coupled to the local storage to manage the cached content as taught by Berman '298.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of managing the distribution of multiple content types [paragraph 24].

Claim 45:

Berman '298 discloses wherein the content manager comprises: a retriever to retrieve the cache content; an indexer to index the cache content; and a distributor to distribute the retrieved cache content to a device [Fig 2, item 208 and paragraph 30].

Claim 46:

Berman '298 discloses wherein the content manager further comprises: a decryptor to decrypt the cache content; and an archiver to archive the cached content [paragraph 36].

Claim 47:

Jackowski '686 discloses a viewing device [Fig 3, item 10].

4. Claims 3, 22 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of McCormick '339 and Jackowski '686 and further in view of Pub No US 2003/0037037 issued to Adams et al (hereafter Adams'037).

Claim 3:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claim 1 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose metadata associated with the content.

Adams '339 discloses metadata associated with the content [paragraph 12].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include metadata associated with the content as taught by Adams '339.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Claim 22:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claim 20 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose metadata associated with the content.

Adams '339 discloses metadata associated with the content [paragraph 12].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include metadata associated with the content as taught by Adams '339.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Claim 41:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claim 39 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose metadata associated with the content.

Adams '339 discloses metadata associated with the content [paragraph 12].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include metadata associated with the content as taught by Adams '339.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

5. Claims 4, 23 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of McCormick '339, Jackowski '686 and Adams '037 and further in view of Pub No US 2002/0152318 issued to Menon et al (hereafter Menon '318)

Claim 4:

The combination of McCormick '339, Jackowski '686 and Adams '037 discloses the elements of claims 1 and 3 as noted above.

The combination of McCormick '339, Jackowski '686 and Menon '318 fails to disclose MPEG-7.

Menon '318 discloses MPEG-7 [paragraph 70].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339, Jackowski '686 and Adams '037 to include MPEG-7 as taught by Menon '318.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339, Jackowski '686 and Adams '037 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Claim 23:

The combination of McCormick '339, Jackowski '686 and Adams '037 discloses the elements of claims 20 and 22 as noted above.

Art Unit: 2171

The combination of McCormick '339, Jackowski '686 and Menon '318 fails to disclose MPEG-7.

Menon '318 discloses MPEG-7 [paragraph 70].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339, Jackowski '686 and Adams '037 to include MPEG-7 as taught by Menon '318.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339, Jackowski '686 and Adams '037 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Claim 42:

The combination of McCormick '339 and Jackowski '686 discloses the elements of claims 39 and 41 as noted above.

The combination of McCormick '339 and Jackowski '686 fails to disclose MPEG-7.

Menon '318 discloses MPEG-7 [paragraph 70].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include MPEG-7 as taught by Menon '318.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Art Unit: 2171

6. Claims 14, 33 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick '339 in view of Pub No US 2002/0152318 issued to Menon et al (hereafter Menon '318)

Claim 14:

The McCormick '339 discloses the elements of claims 10 and 13 as noted above.

McCormick '339 fails to disclose MPEG-7.

Menon '318 discloses MPEG-7 [paragraph 70].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include MPEG-7 as taught by Menon '318.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Claim 33:

McCormick '339 discloses the elements of claims 29 and 32 as noted above.

McCormick '339 fails to disclose MPEG-7.

Menon '318 discloses MPEG-7 [paragraph 70].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include MPEG-7 as taught by Menon '318.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Claim 52:

The McCormick '339 discloses the elements of claims 48 and 51 as noted above.

McCormick '339 fails to disclose MPEG-7.

Menon '318 discloses MPEG-7 [paragraph 70].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include MPEG-7 as taught by Menon '318.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

7. Claims 17, 18, 33, 36, 37 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick '339 in view of Pub No US 2003/0197733 issued to Beauchamp et al (hereafter Beauchamp '733).

Claim 17:

McCormick '339 discloses the elements of claims 10 and 13 as noted above.

McCormick '339 fails to disclose wherein the content analyzer comprises: a parser to parse the metadata.

Beauchamp '733 discloses wherein the content analyzer comprises: a parser to parse the metadata [paragraph 97].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include wherein the content analyzer comprises: a parser to parse the metadata as taught by Beauchamp '733.

Art Unit: 2171

The ordinarily skilled artisan would have been motivated to modify McCormick per the above for the purpose of managing access to the process definitions by the server [paragraph 97].

Claim 18:

McCormick '339 discloses a metadata creator [paragraph 97]

Claim 36:

McCormick '339 discloses the elements of claims 29 and 32 as noted above.

McCormick '339 fails to disclose a parser to parse the metadata.

Beauchamp '733 discloses a parser to parse the metadata [paragraph 97].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include wherein the content analyzer comprises: a parser to parse the metadata as taught by Beauchamp '733.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of managing access to the process definitions by the server [paragraph 97].

Claim 37:

Beauchamp '733 discloses metadata associated with the content [paragraph 97]

Claim 55:

McCormick '339 discloses the elements of claims 48 and 51 as noted above.

McCormick '339 fails to disclose wherein the content analyzer comprises: a parser to parse the metadata.

Beauchamp '733 discloses wherein the content analyzer comprises: a parser to parse the metadata [paragraph 97].

Art Unit: 2171

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCormick '339 to include wherein the content analyzer comprises: a parser to parse the metadata as taught by Beauchamp '733.

The ordinarily skilled artisan would have been motivated to modify McCormick '339 per the above for the purpose of managing access to the process definitions by the server [paragraph 97].

8. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick '339 in view of Adams '037.

Claim 56:

McCormick '339 discloses the elements of claim 48 as noted above.

McCormick '339 fails to disclose metadata associated with the content.

Adams '037 discloses metadata associated with the content [paragraph 12].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of McCormick '339 and Jackowski '686 to include metadata associated with the content as taught by Adams '037.

The ordinarily skilled artisan would have been motivated to modify the combination of McCormick '339 and Jackowski '686 per the above for the purpose of providing a database management system at reduced cost and complexity [paragraph 12].

Response to Arguments

Applicant's arguments filed 2/17/2004, have been fully considered but they are not persuasive.

First Applicant Argument:

Applicant states in the third paragraph on page 11, "It does not analyze the content to extract a description."

First Examiner Response:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., it does not analyze the content to extract a description) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2171

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

4/5/2004


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